

# Court of Appeals, State of Michigan

## ORDER

People of MI v John David Gratsch

Docket No. 308203

LC No. 08-003009-FH

Deborah A. Servitto  
Presiding Judge

Mark J. Cavanagh

Henry William Saad  
Judges

---

The Court orders that the motion for expedited consideration is GRANTED.

In lieu of granting the delayed application for leave to appeal, defendant's sentence is VACATED and this case is remanded to the trial court for resentencing for the reason that the trial court failed to acknowledge that the sentence imposed constituted a departure from the sentencing guidelines, and failed to articulate substantial and compelling reasons for departing from the guidelines. MCL 769.34(3), (4)(a).

We do not retain jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

**MAY 17 2012**

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk